

# Protective Orders

Proposed protective orders may be entered into by stipulation of the parties, and such stipulations are encouraged. However, protective orders may not contain language that authorizes in advance the filing of documents under seal. Filings under seal are governed by [Local Rule 5.3](#), and the Court requires those procedures to be followed. Therefore, proposed protective orders MUST contain the following language:

This order does not authorize the filing of any documents under seal. Documents may be sealed only if authorized by statute, rule, or order of the Court. A party seeking to file under seal any paper or other matter in any civil case pursuant to this section shall file and serve a motion that sets forth

- (i) the authority for sealing;
- (ii) an identification and description of each item proposed for sealing;
- (iii) the reason that sealing each item is necessary;
- (iv) the reason that a means other than sealing is not available or unsatisfactory to preserve the interest advanced by the movant in support of the seal;
- (v) a memorandum of legal authority supporting the seal.

See [Local Rule 5.3](#).

The movant shall not file or otherwise tender to the Clerk any item proposed for sealing unless the Court has granted the motion required by this section.

Whenever a motion to seal is filed, the movant shall submit a proposed order which states the particular reason the seal is required. The proposed order shall be submitted to the judge to whom the case is assigned or to the magistrate judge to whom the matter is referred, via the link located under the ?Utilities? section of CM/ECF. If a motion to seal is granted, the documents to be filed under seal shall be filed electronically by the movant.

Proposed protective orders submitted to the Court for entry should not contain any language that conflicts with the foregoing provision.